

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RAUL I. CALDERON,)	4:08CV3128
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
DENNIS BAKEWELL,)	
)	
Respondent.)	

This matter is before the court on more than 35 pending motions filed by Petitioner within approximately a one-month period. The Motions range from Motions to Appoint Counsel (filing nos. [15](#), [18](#), [43](#))¹, Motions for Summary Judgment (filing nos. [29](#) and [82](#)), and numerous other motions such as a Motion to Appoint the Federal Bureau of Investigations (filing no. [28](#)), Motion to Verify Petition (filing no. [64](#)), Motion for Bail (filing no. [40](#)), and others.

The court has carefully reviewed all of Petitioner's Motions in this matter. All of the Motions can be categorized as duplicative, frivolous, nonsensical, or all three. In short, none of Petitioner's pending motions have any merit, and all of Petitioner's pending motions are denied. Petitioner is cautioned that he shall not continue to file frivolous motions. Failure to comply with this Memorandum and Order will result in further action by the court, including sanctions if necessary.

The court also notes that Respondent's Motion for Summary Judgment is pending. (Filing No. [32](#).) The Motion for Summary Judgment was filed on September 2, 2008. (*Id.*) Because of the voluminous motions filed by Petitioner, the court cannot determine which, if any, of the filings may be intended as a response to

¹The court has already denied the appointment of counsel in this matter on at least two other occasions. (Filing Nos. [6](#) and [21](#).)

the Motion for Summary Judgment. Therefore, on the court's own motion, Petitioner shall have until November 28, 2008 in which to file a response to Respondent's Motion for Summary Judgment. In the event that Petitioner fails to submit a Response, the court will rule on the Motion for Summary Judgment without further notice.

IT IS THEREFORE ORDERED that:

1. Petitioner's pending Motions are denied.
2. On the court's own motion, Petitioner shall have until November 28, 2008 to file a response to Respondent's Motion for Summary Judgment.

October 29, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge